

REMARKS

The above-referenced application has proceeded through a protracted prosecution due in part to an increasingly restrictive view by the Examiner. More specifically, a first restriction and election of species requirement was raised wherein a first set of claims and embodiment were analyzed in substance, and whereupon the Applicant responded in kind. However, after that response, the Examiner issued yet another restriction requirement further limiting the scope of the application, but rather than argue this inconsistency and unnecessary delay prosecution, the Applicants responded again in substance. Now after the filing of an RCE, yet another action has been issued wherein a total of five claims are still pending and rejected based on a single prior art reference. By way of this amendment, the claims have been limited to one claim and that claim has been amended to more clearly differentiate its scope over the cited art. Accordingly, only claim 27 now remains pending and at issue.

With respect to the §112 rejections raised by the Examiner, it will be noted that claims 1, 3, 4 and 7 have been canceled. Regarding remaining claim 27, the Examiner indicated that the disclosure failed to teach the reinforcement layer that was attached to a surface of the base to which the cutter bar is attached. The Examiner correctly pointed out that the reinforcement layer is attached to the front base flap and that the cutter bar was not attached to the front base flap but rather to the reinforcement layer. Accordingly, claim 27 has been amended to correct this inconsistency. In addition, claim 27 was rejected as being unclear concerning the "additional reinforcement layer" and thus claim 27 has been amended to refrain from such word usage. In light of these changes, Applicants respectfully submit that the §112 rejections have been overcome and should be withdrawn.

Turning to the prior art, claim 27 has been rejected as obvious over Perrin, U.S. Patent No. 4,474,318. However, Perrin fails to disclose or suggest each of the elements of the pending claims, or even the desirability of such subject matter, and thus fails to obviate the pending claim.

Claim 27 now specifies, a wrap dispenser having a trunk to which a lid is hinged, a cutter bar, and a means for reinforcing the dispenser and cutter bar, wherein the cutter bar is attached to the means for reinforcing.

Clearly, Perrin fails to disclose such elements. As the Examiner correctly points out, in Perrin (see its Figures 1-3) a reinforcement flap 40 is provided on an inside edge of a front flap 18. However, its cutter bar 28 is attached to a bottom surface 16. It accordingly is not attached to the reinforcement flap 40 and thus fails to disclose an element of the pending claims and thus fails to obviate the pending claim.¹

Not only is the structure of the pending claim not disclosed by the Perrin reference, but the desirability of such features is not even suggested by the Perrin reference, much less the specific solution set forth in the pending application and now in the pending claim. The reinforcement flap 40 of Perrin is provided simply as a means of structurally fortifying its front flap 18 so as to better retain front flap 32 within a retention aperture 30 formed by the reinforcing flap 40 and the front flap 18. In other words, the combination of the two flaps forms a thicker, more rigid, wall for retention of the front lid 32. However, the reinforcing flap 40 has nothing to do with the cutter bar 28 in that the cutter bar 28 is attached to a bottom surface 16, and in no way is associated with reinforcing flap 40. As pointed out in the specification of the pending application, as cutter bars are continually made of thinner and thinner materials, often plastic materials, they can tend to bow when in use, thus diminishing the efficacy of their performance. Accordingly, by attaching the cutter bar to a reinforced wall or means for reinforcing as specified in claim 27, the cutter bar can still be manufactured from a relatively thin or plastic material, but be provided with the rigidity it requires for effective performance. None of this is disclosed or even suggested by the Perrin reference as it does not even suggest the possibility that the cutter bar 28 could bow.

In light of this, Applicants respectfully submit that claim 27 is not obviated by the Perrin reference and that the obviousness rejection should be withdrawn.

As claim 27 is the only remaining pending claim, and all other issues have been satisfied, Applicants respectfully submit that the present application is in condition for

¹ See MPEP 2143. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference will reference as when combined must teach or suggestion all the claim limitations."

allowance and respectfully solicit same. Should the Examiner have any questions, he is respectfully invited to telephone the undersigned.

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Respectfully submitted,

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